

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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7	UNITED STATES OF AMERICA,)	No. CR-08-137-WFN-29
8)	CR-99-091-RHW
9	Plaintiff,)	
10)	ORDER DENYING DEFENDANT'S
11	v.)	MOTIONS FOR RELEASE/FURLOUGH
12)	
	DANIEL ALLEN FLAHERTY,)	
)	
	Defendant.)	
)	

At the February 6, 2009, hearing on Defendant's Motion to Modify Order of Detention (**Ct. Rec. 949**) or, in the alternative, oral Motion for Furlough (**Ct. Rec. 959**), Defendant was present with counsel Joseph Nappi. Assistant U.S. Attorney Earl A. Hicks represented the United States. DEA Special Agent Thomas Sullivan testified and was cross-examined. Family members were in the courtroom in support of Defendant. Both sides argued.

The court finds there is no combination of conditions to assure Defendant is not a risk of flight and is not a risk to the community. Accordingly, Defendant's Motions (**Ct. Rec. 949, 959**) are **DENIED.**

IT IS SO ORDERED.

DATED February 9, 2009.

S/ CYNTHIA IMBROGNO
UNITED STATES MAGISTRATE JUDGE